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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION N
10/634,387	08/05/2003	Hong-Sung Chu	2609-53	6526
7590	10/05/2004		EXAMINER	
John F. Gulbin Pitney, Hardin, Kipp & Szuch LLP 685 Third Avenue New York, NY 10017-4024			BLAU, STEPHEN LUTHER	
			ART UNIT	PAPER NUMBER
			3711	

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/634,387	Applicant(s) CHU ET AL	
	Examiner Stephen L. Blau	Art Unit 3711	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) 6-9, 13, 14 and 17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 10-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 August 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Claims 6-7, 8-9 and 13-17 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 16 August 2004.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a) because they fail to show a rib in Figures 16-17 as described in the specification. Reference number 90' seems to be pointing to the sleeve. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for

consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because of the following informalities: In the specification it states as on page 9 lines 20-21 and maybe other places that the axial margins are adjacent to each other when all of the embodiments have a rib (90, 90') which prevents the axial margins from being adjacent (having a common endpoint or border, immediately preceding or following) to one another. The examiner recommends replacing the word "adjacent" with the word -- near -- to removed this objection.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 4-7 and 10-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 4 and 12 are indefinite in that each claim that the axial margins are adjacent to each other when all of the embodiments have a rib (90, 90') which prevents the axial margins from being adjacent (having a common endpoint or border, immediately preceding or following) to one another. The examiner recommends replacing the word "adjacent" with the word -- near -- to removed this rejection. Claim 5 is indefinite in that for the elected species of 6 which is figure 17 it is uncertain how the sleeve includes an axial hem structure which extends from a cap to a rim along axial margins of the sheet layer where axial margins of a sheet layer are received by a hem structure so as to be hidden by the hem structure. Figure 17 does not have a hem structure for a sleeve which hides the axial margins. In figure 17 the hemming strip (90") is not part of the sleeve. The examiner recommends changing the claim to read, --wherein said grip includes an axial hem structure ...--.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 3711

7. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang (2003/0228930) in view of Onions.

Huang discloses a tape anti-slip layer (Fig. 14).

Huang lacks a sheet layer having a top and bottom circumferential margins, a top circumferential margin being fitted within an annular recess so as to be hemmed and hidden by a portion of a cap, a bottom circumferential margin being in abutment with a protective rim, and two axial margins which interconnect a top and bottom circumferential margins which are adjacent to each other.

Onions discloses an anti-slip layer being a tape (Fig. 3) or a sheet (Fig. 1) where a sheet has a top and bottom circumferential margins and two axial margins which interconnect a top and bottom circumferential margins which are adjacent to each other (Fig. 1). In view of the patent of Onions it would have been obvious to modify the anti-slip layer of Huang to have a sheet layer instead of a tape layer in order to simplify the assembly process by not having to wrap a tape around a sleeve of a grip. As such a sheet would have a top and bottom circumferential margins, a top circumferential margin would be fitted within an annular recess so as to be hemmed and hidden by a portion of a cap, a bottom circumferential margin being in abutment with a protective rim and two axial margins would interconnect a top and bottom circumferential margins which are adjacent to each other.

Allowable Subject Matter

Art Unit: 3711

8. Claims 5-7 and 10-11 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims. None of the prior art discloses or renders as obvious an axial hem structure which extends from a cap to a protective rim along axial margins of a sheet layer with the axial margins of a sheet layer being received by a hem structure so as to be hidden by a hem structure in addition to other elements of structure claimed.

9. Claims 12-17 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action. None of the prior art discloses or renders as obvious axial margins of a sheet material being received in and finished by a hem structure in addition to the other elements of structure claimed.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steve Blau whose telephone number is (703) 308-2712. The examiner is available Monday through Friday from 8 a.m. to 4:30 p.m.. If the examiner is unavailable you can contact his supervisor Greg Vidovich whose telephone number is (703) 308-1513. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is

Application/Control Number: 10/634,387

Page 7

Art Unit: 3711

(703) 308-0858. (TC 3700 Official Fax 703-872-9306)

slb/ 3 October 2004


STEPHEN BLAU
PRIMARY EXAMINER